

City of Keene
New Hampshire

JOINT PLANNING BOARD/
PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Monday, October 14, 2025

6:30 PM

**Council Chambers,
City Hall**

Planning Board

Members Present:

Harold Farrington, Chair
Roberta Mastrogiovanni, Vice Chair
Mayor Jay V. Kahn
Armando Rangel
Stephon Mehu, Alternate
Joseph Cocivera, Alternate

Planning, Licenses &

Development Committee

Members Present:

Kate M. Bosley, Chair
Philip M. Jones, Vice Chair
Robert C. Williams
Edward J. Haas

Staff Present:

Mari Brunner, Senior Planner
Megan Fortson, Planner

Planning Board

Members Not Present:

Councilor Michael Remy
Ryan Clancy
Sarah Vezzani
Kenneth Kost
Randyn Markelon, Alternate
Michael Hoefer, Alternate
Tammy Adams, Alternate

Planning, Licenses &

Development Committee

Members Not Present:

Andrew M. Madison

1) Roll Call

Chair Bosley called the meeting to order at 6:30 PM and a roll call was taken. Chair Farrington invited Joseph Cocivera and Stephon Mehu to join the Planning Board as voting members.

2) Approval of Meeting Minutes – September 8, 2025

A motion was made by Councilor Jones to approve the September 8, 2025, meeting minutes. The motion was seconded by Mayor Kahn and was unanimously approved.

3) **Public Workshops:**

a. **Ordinance O-2025-28-A Relating to Zone Change.** Petitioner, Adam Wright, proposes to amend the Zoning Map of the City of Keene by changing the zoning designation of the five properties located at 305 Winchester St, 0 Winchester St, 291 Winchester St, 371 Pearl St, and 363 Pearl St (TMP #'s 593-003, 592-019, 592-020, 592-021 & 593-004) from Low Density to Commerce; change the zoning designation of the eastern and southern portions of the property located at 347 Pearl St (TMP #593-005) from Low Density to Commerce; and, change the zone designation for the southern portion of the properties located at 339 Pearl St and 331 Pearl St (TMP #'s 593-006 & 593-007) from Low Density to Commerce. The total area of land that would be impacted by this request is ~2 ac.

Mr. John Noonan of Fieldstone Land Consultants and Adam Wright, Petitioner, addressed the Joint Committee. Mr. Noonan stated they have looked at different variations of the zoning lines and changes to the three lots. He stated the initial application was to have the new zoning boundary go through the three lots that were to remain zoned as Low Density Residential. However, in working with the abutters and the landowners of those lots, the applicant has decided to go back and wants to move forward with the "A" version of the Ordinance that was originally approved by the Joint Committee. The "A" version involved removing three lots on Pearl Street to remain in Low Density with their existing lot lines serving as the boundary between the Low Density District and Commerce District.

Chair Bosley clarified between the previous Joint Committee meeting and the Council meeting, in which a public hearing was going to be scheduled, there was some question about potentially altering that map in an additional way. However, at this point, the applicant has decided to revise it back to what came out of this Committee and move to a public hearing.

The Chair asked for Staff Comments. Senior Planner, Mari Brunner, stated the only thing that has changed between last meeting and this meeting is that the 2025 Comprehensive Master Plan was adopted. Because this item was sent back to the Public Workshop phase and the Committee is basically holding a new Public Workshop on this Ordinance, Staff have provided a Staff report using the new Master Plan. There will be a new vote tonight with reference to the consistency of the proposed rezoning with the 2025 Master Plan and the PLD Committee will be voting on whether or not to recommend that the Mayor move forward with setting a Public Hearing, which is required by State Statute.

Megan Fortson, Planner, addressed the components related to the updated Master Plan. She stated that in regard to the updated Future Land Use Map, the areas of Keene are less defined than they were on the Future Land Use Map from the 2010 Master Plan. The goal is to be more flexible and allow for more interpretation by City Council and Planning Board members. The area proposed to be rezoned in the updated map is shown as a transition area between a well-established downtown adjacent neighborhood, often referred to as the Italian Neighborhood. It is also an area designated as Corridor-oriented Commerce on the Future Land Use Map. The area is also located near the Ashuelot River, which provides an important north-south wildlife corridor through Keene.

Ms. Fortson went on to say that the downtown character area description includes a mix of historic downtown neighborhoods that provide missing middle housing types, which can be duplexes, triplexes, townhomes, and other such housing types. It is described as highly walkable and multimodal. On the other hand, there is the corridor-oriented commerce character area, which serves more as a mixed-use regional magnet for higher intensity multi-family housing, chain businesses, and automobile-oriented transportation.

She indicated the “A” version of this Ordinance, which was previously proposed by the Joint Committee at last month’s Public Workshop, would add a small strip of commercially zoned parcels along Pearl Street adjacent to the roundabout and then add a long strip of Commerce adjacent to where the McDonald’s site is located.

With reference to the Master Plan goals, instead of having a focus area, which is what the previous Master Plan outlined, the updated Master Plan has six strategic pillars: livable housing, thriving economy, connected mobility, vibrant neighborhoods, adaptable workforce, and flourishing environment. Staff felt that the goals most relevant to this map amendment included boosting infill development and redevelopment, which is a goal under the livable housing pillar, and attracting and growing Keene’s businesses of all scales, which is a goal under the thriving economy pillar. The vibrant neighborhood pillar has the overall aim of supporting vibrant community neighborhoods that reflect their unique identity.

Ms. Fortson noted the proposal now involves the conversion of five existing parcels from a Low Density zoning designation to a Commerce designation. The Low Density District allows for the creation of the missing middle housing that the City is hoping to see, including Cottage Court Developments. However, a change to the Commerce designation is going to allow for a greater variety of commercial uses, some of which are intense, including retail, offices, etc.

Ms. Fortson pointed out that the Pearl Street neighborhood has many single-family homes as well as two and three family homes. The architecture of the entire neighborhood has a very cohesive fabric and felt the Board needs to consider that when making this change, whether or not the City wants to continue to allow commercial development along Pearl Street and if that should extend all the way to the Winchester Street roundabout and down Winchester Street to the south. Otherwise, does this area serve more as a transition between the traditional neighborhood layout and the more intense commercial area to the south and southeast.

Chair Bosley, for the benefit of Planning Board members who were not present at the last meeting, explained that this proposal originally included an additional three parcels that were adjacent to this commercial strip. The committee listened to comments from the neighborhood and created an “A” version with a buffer zone between the potential commercial uses. The item has now been brought back to the Committee for a second review.

Chair Farrington noted to the proposal outlined on page 17, which is what Mr. Noonan articulated today. However, the narrative in the agenda packet still includes changes to the other three parcels that have since been removed, so he asked for clarification. Ms. Brunner stated the public workshop was required to be noticed 14 days prior to the date of today’s meeting, and that was the proposal at the time. Staff had an opportunity to speak with the petitioner after the

notice. One of the things the petitioner was not aware of, at the time that he requested this item get sent back to the Joint Committee, was the fact that City Council had adopted rules specifically for split zoned parcels. The Council adopted split zoned parcels rules on the same evening this item went to City Council on September 18, 2025 for a public hearing. Once the petitioner learned about that, they decided to stay with the “A” version.

Ms. Brunner continued by stating the petitioner decided to stay with the “A” version after the notice had already gone out, and the City’s practice is to keep the language on the agenda consistent with the notice. The Chair clarified the following language should be deleted starting at the 5th line *“change the zoning designation of the eastern and southern portions of the property located at 347...”* to the end.

Chair Bosley opened the public workshop portion of the meeting and stated that this is not a formal public hearing. The Committee will hear different comments on this item but stated it will be equally important for the public to attend the public hearing set by the Mayor to make sure that the full Council hears the public’s opinion as well.

Ms. Julie Rose of 315 Pearl Street in Keene addressed the Committee. She stated she was opposed to rezoning the proposed parcels as commercial. She stated this neighborhood has been rooted in this area for generations. She felt if this property was going to be re-developed, it should be for affordable housing and talked about families who can’t afford rent in Keene. Ms. Rose felt if commercial was the intent, there are several properties down Winchester Street that could be used for commercial uses as well as vacant properties downtown that could be used for commercial, but they should not be breaking up neighborhoods that have existed for decades as residential neighborhoods.

Ms. Rose talked about the disruption to traffic in the neighborhood due to the construction on Island Street. She asked that the area be retained as residential and not to add commercial to this neighborhood. She also felt this type of change would reduce her property value.

Mayor Kahn asked Ms. Rose if these properties were not zoned commercial but allowed for a more dense, housing-oriented zone, such as High Density or Medium Density, whether that is something that would be agreeable to her. Ms. Rose felt the next step from High Density would be Commercial and felt this is an area that should not be used for multi-family housing in keeping with the character of the existing neighborhood.

Ms. Lori Whipple of 352 Pearl Street in Keene was the next speaker. She indicated her home is directly across from the petitioner’s property. She stated she was opposed to this rezoning to commercial. Ms. Whipple stated her property abuts the Ashuelot River and already has issues with erosion and has experienced flooding twice in the last six years. She felt turning this area to commercial as indicated at the last meeting could bring in varying uses, such as a multi-family homes or a hotel, which could require additional parking areas. Ms. Whipple stated Parking areas would result in paving over the grassy areas and increase the already existing flooding issues. She added that this runoff also could end up in the river, causing possible water pollution. She stated she is looking at entities to address this issue more eloquently.

Ms. Whippie asked whether there have been any studies done with respect to increased flooding if this area was to be paved over.

Ms. Whippie addressed noise pollution, which is already an issue with the commercial site at McDonalds and the issues with drug dealing that happens at that site. She stated she did not want to see this happen across from her home. She added the construction that is happening on Island Street is already causing vibration to the homes on Pearl Street. She indicated light pollution from McDonalds is also another issue. In the late spring and summer foliage helps with light pollution but developing this area would remove this barrier. Bringing a commercial use would bring additional lighting issues as you can't dictate what hours vehicles could access a commercial site.

Ms. Whippie noted if a restaurant is added to this site, that brings in dumpsters and food waste close to residential neighborhoods and also runs the risk of attracting wild animals to the neighborhood.

Ms. Whippie stated commercial parking lots also attract crime and used a recent shooting at the Walmart parking lot as an example. She also talked about the traffic issues that exist on Pearl Street and did not feel this street is designed for commercial use. Ms. Whippie referred to the letter from the petitioner, which refers to the property on the roundabout, "*which has been vacant for many years and has fallen into disrepair. The location of these properties does not serve the residential Low Density zoning well, and that the roundabout traffic and adjacent fast-food restaurants hinder the appeal of residential homes at this intersection.*" She questioned what would happen to homes on Pearl Street by bringing this use closer. She questioned whether this would not de-value their property values. She added that the property on the roundabout has only been vacant for about a year.

Ms. Whippie felt there are many vacant properties in commercially zoned areas in Keene and questioned why commercial use needs to be brought into their neighborhood. She also pointed out that she has solar panels installed on her house and would not want to see a tall building constructed across from her house, blocking the sun, which could have financial impacts on her.

She added that her husband will be retiring home in four years after serving in the military for 20 years and would be coming home to all this turmoil.

Ms. Shauna Stack Davis of 323 Pearl Street stated she has lived in her home for the past 17 years and, until last year, they have had a lot more privacy during spring, summer and fall when many of the trees were taken down. This has caused them to have to deal with a lot more noise and criminal activity from the McDonald's site when fence panels get plowed down by cars, drug deals go on behind the fence, that she says she has witnessed. Ms. Stack Davis felt any more expansion of commercial uses would only increase this unsavory behavior. She expressed concerns about a commercial use locating on the roundabout which could cause issues with traffic.

Mr. Joe Wadkowski of 280 Pearl Street addressed the committee and stated he has lived in his property for 35 years. He stated the neighborhood has attracted many young families and he

would hate to see that disrupted. Mr. Wadkowski stated affordable housing is an issue in Keene and he would not want to see a Low Density residential area turned to commercial. He noted to the traffic issues that already exist on this street.

Mrs. Barbara Peloquin of 308 Pearl Street stated she agrees with the comments made by the neighbors. She indicated she has lived in the area for the past 55 years. She noted there are many businesses that are located at the end of Wood Street where there was an agreement for their truck traffic to happen during certain times of the day. However, this has changed in the last few years with a paving company who has moved to this site and the trucks that pass by rattle her windows and the neighborhood is woken up at 4:30 AM by these trucks driving by. She felt there is a heritage to be preserved, and respect shown for the people who already live here.

Ms. Michelle Wright addressed the Committee and stated she owns property on Pearl Street. She reiterated the flooding issue previously raised, and she indicated her parents live in this neighborhood and have had to deal with flooding as well. She noted the river right on Island Street is an actual floodway and property in that area is required to have flood insurance. FEMA maps indicate this area is in the 500-year flood zone and they are also referred to as A&E, which means these areas actually flood more often than the 500-year flood zones. Ms. Wright noted flood insurance could be very costly. She indicated her parents have had two feet of floodwater in their basement and have received no assistance from FEMA. She also talked about trees falling into the river and disappearing, which is something that exists within Cheshire County, referred to as avulsion and is a major problem in New Hampshire. She indicated when water takes away the land that belongs to you, you are still responsible for paying the mortgage on that land.

She indicated this change to commercial would change the soul of this neighborhood. She felt this change would cause the loss of property value, safety, peace and stability. Zoning is not only about land use, but it is also about values and what the City believes a neighborhood should endure. This change would increase impervious land to an area that already has flooding issues. Ms. Wright stated the residents of Pearl Street are not opposed to development, they are simply calling for responsible development.

With no further comments, the Chair closed the public hearing. The Chair noted this Committee is not the group that will make any decision. The decision regarding this issue will ultimately be made by the City Council.

Councilor Haas felt this is a great example of the challenge the City faces where commercial neighborhoods abut existing residential neighborhoods, which he felt is a difficult problem to solve; for example, the problem with finding developers who will invest in these properties. He hoped the City could find a good solution.

Councilor Williams stated he voted in favor of this item a month ago, but he is having some reservations; specifically, he stated he has reservations about the large parcel on Pearl Street. He continued by saying the parcels that are facing Winchester Street are a good case for rezoning, but he wasn't sure if commercial rezoning is the answer. Instead, perhaps limited commercial as

it exists elsewhere in the city that allows for small businesses, like doctors' offices, lawyers' offices, etc. but not large-scale commercial.

He felt the large lot on Pearl Street should be a residential lot as there is sufficient space to locate three or four good houses. The Councilor felt rezoning to commercial would have a negative impact on what really is a lovely neighborhood and stated he did not want to see that changed.

Councilor Jones stated he is concerned about impervious surface and noted there is going to be a loss to pervious surface in a part of the City where the river makes that bend (behind the Whipple property). He indicated this property is on the cut side, which gets cut every time there is a flood and causes more water to come down. The Councilor felt the property could eventually lose their yard.

The Councilor stated he has assisted neighbors in this area with their basements during a flooding event.

Councilor Jones referred to the history of zoning petitions on that street; for example, eight or nine years ago there was a request for a change. This zoning change was denied by City Council because the north end of Pearl Street, where it meets West Street, is considered a failed intersection and felt this was another good reason why this change should not be approved.

He went on to say the City went through a reevaluation a number of years ago and there is another one coming up next year. For the first time in the City's history, the value of commercial property went down, while residential has increased. There are many empty commercial spaces, which is why commercial value is going down, and residential properties are having to pick up that burden.

He added the City keeps talking about needing more housing and questioned why the City would then take away residential. The Councilor referred to what Ms. Wright stated, in that zoning is about values and felt this area should be kept as residential.

Ms. Roberta Mastrogiovanni stated the rotary definitely is causing some traffic issues and the Island Street construction does not help with this issue either. She noted that this neighborhood has been here for a long time and many residents have lived in their homes for a long time as well. She agreed this corner has been an eyesore and it would be nice to see this property improved. Ms. Mastrogiovanni agreed flooding is an issue and felt every time a developer comes in and wants to change a zone to suit their needs, this is something the City needs to be careful about.

Chair Bosley stated at the last meeting there was discussion about the properties that were abandoned on the roundabout and questioned whether Ms. Mastrogiovanni can see residential going into this property. Ms. Mastrogiovanni stated even with residential you need to be careful that flooding does not increase for the rest of the neighborhood. The Chair asked for Staff comment regarding pervious and impervious surfaces and how water is dealt with on commercial properties.

Ms. Brunner stated the flood risk for this area is expected to change and FEMA has released preliminary flood maps that show the flood risk, and this is something for the Committee to consider regarding the developable nature of this area. New construction is not permitted in the floodway, but is permitted in the floodplain as long as compensatory storage is provided, which is an extra step and an extra expense for a developer. An engineer would need to be hired, and an elevation certificate would need to be completed to indicate that for every foot of flood water that they are displacing, they are creating compensation elsewhere on the site. In addition, stormwater management is also required through the Planning Board; for example, multifamily or commercial development would have to go through a review process, which will require an analysis of the runoff from the site.

Ms. Brunner went on to state the difference between Low Density and Commerce in terms of amount of impervious coverage that is allowed. Low Density is probably around 40% maximum, whereas commerce is more like 80% maximum impervious coverage.

Chair Bosley stated she has concerns about the river in the neighborhood. She felt there is going to be a mixed conversation at Council about this project and she felt this should be a decision of the Council.

A motion was made by Councilor Jones that the Planning Licenses and Development Committee request the Mayor set a public hearing. The motion was seconded by Councilor Williams and was unanimously approved.

A motion was made by Harold Farrington that the Planning Board finds that the application meets the intent of the 2025 Comprehensive Master Plan. The motion was seconded by Armando Rangel and was unanimously approved.

Ms. Brunner stated for anyone in the public, if they sign up through the City website, there are notifications sent out regarding upcoming City Meetings.

- b. Ordinance O-2025-34 Relating to Zone Change. Petitioner, City of Keene Public Works Department, proposes to amend the Zoning Map of the City of Keene by changing the zoning designation for a portion of the property located at 62 Maple Ave (TMP #227-006-000) from Industrial Park District to Medium Density. The total area of land that would be impacted by this request is ~1.3 acres.**

Chair Bosley explained 62 Maple Ave is a property that is owned by Cheshire Medical Center. The City Manager has negotiated that as part of their PILOT (Payment in Lieu of Taxes) agreement, Cheshire Medical Center will gift the City with an ~1.3-ac portion of their lot. However, the issue the City is running into is that the underlying zoning does not work for what they would like to potentially use the parcel for, even though there are no definite plans for its use yet. She added the City could perhaps use it as a new site for Fire Station 2. The Assessing & Public Works Departments are asking for this zoning change, but in reviewing the request, some additional changes might be better suited to this area, which would better benefit the City.

Ms. Brunner and Ms. Fortson addressed the Committee next. Ms. Brunner stated the petitioner is the City of Keene. The Public Works Department started the process by contacting the surveyor to prepare the plan, but the Community Development Department has since taken over. The original proposal was to rezone a portion of the lot so that it would be subdividable. However, in looking at this area, there is not a single parcel of land in this zone whose use would actually be allowed in the underlying Industrial Park District.

Ms. Brunner went on to say that there are five additional parcels of land in this area that Staff are recommending be rezoned to Medium and/or Low Density as part of this process. Two of them are parcels located across Route 9 that are vacant and inaccessible. Both of these lots are immediately adjacent to the Low Density District, which is the new proposed zoning district. The three remaining parcels are located at 84, 90, and 100 Maple Ave and are the sites of two single-family homes and Trinity Lutheran Church & School, which are proposed to be rezoned to Medium Density.

The proposal for all parcels on the north side of Maple Ave, between the road's intersections with Route 12 and Park Ave, to be rezoned as Medium Density would create a contiguous block for this zone. All uses that exist on these lots today would be permitted with this zone change. It would not make any of the parcels non-conforming and would take two non-conforming parcels and make them conform. The two parcels that are across Route 12 are proposed to be rezoned to Low Density to be consistent with the land that they are immediately adjacent to. Ms. Brunner turned the presentation over to Ms. Fortson.

Ms. Fortson stated that at the present time, there are two single family homes, the Trinity Lutheran Church and School, the hospital's property, and the two Rt. 9 undeveloped parcels included as part of the proposed zoning map amendment. Ms. Fortson stated the church, school and hospital uses are not permitted in the Medium Density District; however, this section of Maple Avenue is on what is called the "Institutional Street List," which allows these uses by right—regardless of the underlying zoning designation.

Ms. Fortson went on to say this application is being reviewed through the lens of the 2025 Comprehensive Master Plan, since it was adopted by Planning Board and endorsed by City Council on September 18th. Instead of having a split-zoned parcel that is partially Medium Density and partially Industrial Park District, Staff feel that it would be cleaner to have those four parcels zoned Medium Density and then the two undeveloped lots across from Route 12 to be zoned Low Density. Under the current Industrial Park District zoning designation, the allowed uses include things like manufacturing as well as research and development firms.

She went on to say that in Medium Density, you are allowed to have up to six units in a building by right. There is no longer a density factor in that district as long as you meet the minimum lot size requirement, which is 8,000 square feet. Ms. Fortson added the only overlap in terms of uses between the two districts is the fact that any use in either of these districts needs access to City water and sewer utilities.

In terms of the dimensional requirements, as was mentioned, the Industrial Park District has a minimum lot size of four acres, whereas Medium Density has an 8,000-sf requirement and Low

Density requires a minimum of 10,000-sf per lot. In the Industrial Park District, the setback requirements are 30-ft for side setbacks and 50-ft for front and rear setbacks. In Medium Density, you have a 15-ft front and rear setback and a 10-ft side setback.

Both districts have the same height requirements, except in the Industrial Park District, there is the potential to construct a taller building by going through a zoning Special Exception process.

In terms of the implications of the proposed change on the density of development, Ms. Fortson stated that this area of Keene is an intersection of many different zoning districts, including Corporate Park, Low Density, a small section of Medium Density, Conservation, High Density, and Commerce. Expanding the Medium Density District in this area would obviously allow for the potential creation of more missing middle housing that the City is looking for through the creation of Cottage Court Developments or the construction of additional single-family homes.

Ms. Fortson stated, as was discussed with the Pearl Street ordinance, the Committee would need to deliberate as to what the neighborhood looks like now and what it could look like following this proposed zoning change. This concluded Staff comments.

Chair Bosley stated Maple Avenue has an industrial type building but noted that she thinks it feels more residential in nature. She felt rezoning Lots 1 & 2 across Route 19 to Low Density makes sense to her. If the hospital wanted to provide housing for their staff, that would also be possible on their ~50-ac parcel with this change.

Councilor Jones stated the reason this area is in the Industrial Park District is because the lower part of this area was once part of the Black Rock Corporate Park area and a TIF District was created to get the services into this area. He questioned if this TIF District still exists. Ms. Brunner stated it is still there on paper, but it might need to be renewed. He asked whether the church and school were conforming uses. Ms. Brunner answered in the affirmative and added the hospital would also be a conforming use. She indicated the two single-family homes are currently non-conforming uses but would become conforming uses with this zoning change. The Councilor felt this would be a benefit to the City by creating the potential for Cottage Court Developments and Station 2 possibly locating to this area.

The Chair asked for public comment. With no comments from the public, she closed the public hearing.

A motion was made by Councilor Jones that the Joint Committee modify Ordinance O-2025-34 by changing the zoning designation of the four parcels located at 62, 84, 90, and 100 Maple Avenue from Industrial Park District to Medium Density and to change the zoning designation of the two parcels located at 0 Off Route 12 (Tax map 513, Lots 1 & 2) from Industrial Park to Low Density.

The motion was seconded by Councilor Williams and was unanimously approved.

A motion was made by Councilor Jones that the Planning Licenses and Development Committee request the Mayor set a public hearing for Ordinance O-2025-34-A. The motion was seconded by Councilor Williams and was unanimously approved.

A motion was made by Harold Farrington that the Planning Board finds Ordinance O-2025-34-A is consistent with the 2025 Comprehensive Master Plan. The motion was seconded by Armando Rangel and was unanimously approved.

4) Discussion Items

a. Potential Modifications to Site Plan Review Thresholds

Ms. Brunner addressed the Committee and stated that the Planning Board has been discussing, for the past few months, making changes to the Site Plan Review Thresholds. When a project meets a certain level of impact, they have to go before the Planning Board for review and anything below that threshold is reviewed by the Minor Project Review Committee, which is comprised of City Staff but it is a noticed public hearing with abutter notices sent out and a notice is posted in the Keene Sentinel. The next level down is referred to as Administrative Review, which is where Staff review the proposal to make sure that it is consistent with the Site Development Standards.

Ms. Brunner went on to say that there were a few things that prompted these discussions about the thresholds. The first one is that the Minor Project Review Committee is something new the City put in place with the Land Development Code. It has been somewhat successful for a few projects, but mostly projects are falling either into the Administrative category or the Major Site Plan category, and Staff are not seeing many items go to the Minor Project Review Committee, which is making it challenging to make the Committee runs smoothly. For example, the Committee has not seen a single project this past year. As a result, Staff feel the thresholds are not necessarily set correctly and there is a proposal to adjust these thresholds to create more opportunity for people and to make things more efficient.

Ms. Brunner next reviewed the thresholds: The threshold for Major Site Plan Review, to go to the Planning Board, includes when someone is constructing a new principal building or a new principal structure that is greater than 5,000 square feet in gross floor area. This used to be 1,000 square feet and it was increased to 5,000 square feet.

Anything between 1,000 and 5,000 square feet can now go to the Minor Project Review Committee.

Anything under 1,000 square feet could be reviewed administratively.

The second criteria are additions to existing buildings or structures that are greater than 15% of the gross floor area of the existing principal building. Staff feel this threshold could be tweaked because what the City was attempting to do was to address the fact that projects involving large buildings, such as a 100,000 square foot building, in which a 1,000 square foot addition is proposed that would not be noticeable, were being sent to the Planning Board. The idea behind this was to make the threshold a percentage of the gross floor area of the existing building. The

City has never had a threshold such as this in the past. The threshold was set at 15%, and Staff feel that percentage is low and are proposing to raise up to 25% to go before the Planning Board; however, in the downtown where there is more concern about the more granular development pattern, it would require a higher level of review.

The next threshold is related to traffic, which is a change or increase of vehicle trips per day of 100 or per peak hour of 50.

The next threshold is installation of impervious surfaces, such as pavement or gravel that exceeds 10,000 square feet in contiguous area or land disturbance that impacts an acre or greater of land area.

The other thresholds refer to modifications to the site or building, such as lighting, landscaping, facade alteration, etc., which at the discretion of the Community Development Department Director or their designee, warrants Major Site Plan Review.

The final item is the change of use, which, at the discretion of the Community Development Department Director or their designee, warrants Major Site Plan Review. Such determination shall be based on the evaluation of the impacts of the proposed use on both the subject parcel and the surrounding neighborhood.

Chair Bosley asked whether Staff are proposing to do away with the Minor Project Review Committee and send all items to the Planning Board. Ms. Brunner answered in the negative and stated Staff are proposing to modify the thresholds and raise the thresholds before a project has to go before the Planning Board; subsequently, there would be an increase in the range of projects that could go to the Minor Project Review Committee. The proposal is to keep the minimum threshold where it is but raise it for the Minor Project Review Committee so that more projects could go through that process. A major goal of the Land Development Code was to try and make the development review process more streamlined and more efficient, while maintaining the regulations and making sure that the City is still doing a thorough job reviewing the projects.

Two other items Staff are proposing to change is to create a specific threshold for new residential dwelling units. At the present time, the way change of use is reviewed is to purely look at the impact and whether they meet any of those thresholds. For example, the Colony Mill conversion was a commercial space that was converted to 90 dwelling units. In that case, it had to go through a variance process. If this project did not go through a variance process but was approved administratively, this would be a big change to the feel and character of the area. For this type of change, Staff would look at getting clarification from the Board as to where that line is and whether it should be coming to the Planning Board or to the Minor Project Review Committee for review versus something that Staff could review administratively.

The other issue Staff want to discuss was street access, or driveways. At the present time, any commercial or multifamily driveway has to go through the Site Plan Review process: minor or major review. What Staff are proposing is that when somebody wants to remove a curb cut or if

they want to narrow it or make it more compliant with the standards, this should be encouraged by allowing it to be reviewed Administratively by Staff.

If they are proposing a curb cut that meets regulations, it could be reviewed by the Minor Project Review Committee. However, if they are looking for an exception, the item would need Planning Board review.

Chair Bosley pointed out these are the Planning Board's guidelines. These are not guidelines the Council gets to weigh in on. She felt these were great updates; for example, the idea of having these tiers that allow accessibility to Staff and the Land Development Code in a way that feels less constrained is a positive aspect. She asked the Committee to keep in mind the easier access to code that the City has attempted to create. She stated it is a slippery slope when the City starts scheduling meetings for things a Committee or Board cannot change. If something is allowed in the Land Development Code and it does not affect traffic, the exterior of the building, or the use is being reduced, a meeting is now being scheduled for neighbors to raise concern for change they cannot have any impact on.

Ms. Fortson stated she serves as the Staff Liaison on the Minor Project Review Committee and the feedback she has received from developers is that this has been a very positive experience for them while still allowing for abutter comment and notice.

Ms. Brunner noted the next public hearing for the Planning Board will be October 27, 2025 and earlier she had indicated the City Council will not be voting on this; however, to incorporate this into City Code, there will be vote taken by the Council. This is under State Statute under the purview of the Planning Board. The process for City councilors who want to provide input would be at that public hearing. If a councilor cannot attend in person, they can always submit written comment.

- b. Proposed follow-up regarding bills adopted during the 2025 Legislative Session including HB 413 relative to subdivision regulations on the completion of improvements and the regulation of building permits (Effective 7/1/2025), HB 577 relative to modifying the definition of ADUs (Effective 7/1/2025), and HB 457 relative to zoning restrictions on dwelling units (Effective 9/13/2025).**

Ms. Brunner stated Staff wanted to bring this item up with the Joint Committee because there are a few changes that will need to be addressed that have actually already gone into effect. City Code is currently in violation of a few things that were recently passed by the State Legislature, which are minor corrections to City Code. What Staff are proposing is an ordinance that includes cleanup items packaged together, and at the public workshop phase, to go through those items one by one to confirm with the Committee as to whether they agree with Staff's initial assessment.

Ms. Brunner reviewed three of those changes: The first is a change to ADU's: a requirement for an interior door for an attached ADU. Prior to this, State Law required a door between the ADU and the main building if it was attached. The State then got rid of that requirement and now they

say you can't require it. Ms. Brunner noted having a door between two separate dwelling units is actually counter to what the City wants to see from a life safety perspective for fire protection and separation.

The other change is referred to as active and substantial development and substantial completion, which is related to the Planning Board's regulations. After a developer gets an approval for a project, they have a certain amount of time to start the project and then they have a certain amount of time to substantially complete the project. If they meet those thresholds, their rights are vested. If they don't meet those thresholds and the regulations have since changed, they may have to go back through the process. At the present time, it is two years for active and substantial development, which means you have to basically have started installing the infrastructure, and today substantial completion is five years which is going up to seven.

The final one is relative to zoning restrictions on dwelling units, HB 457. Staff are proposing a standalone ordinance, which will take a longer to complete. This new State Law states as follows: *prohibits any ordinance that restricts the number of occupants of any dwelling unit to less than two occupants per bedroom. It also says that municipalities cannot adopt any ordinance based on the familial or non-familial relationships or marital status, occupation, employment status, or the educational status. Including, but not limited to, scholastic enrollment or academic achievement at any level among the occupants of the dwelling unit, including but not limited to college students and the governing body thereof, shall not enforce any such ordinance.*

This impacts the City of Keene's definition of a family with respect to each residential dwelling unit. Today a family is based on how people are related to each other or it has to be four or fewer unrelated people.

5) New Business

None.

6) Next Meeting – November 10, 2025

There being no further business, Chair Bosley adjourned the meeting at 8:27 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Emily Duseau, Planning Technician